

FILED \*24 FEB 16 AM 08:10 MDGA-CCL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
Columbus DIVISION

QUESTIONNAIRE FOR THE PRISONERS PROCEEDING  
PRO SE UNDER 42 U.S.C. § 1983

McKissic Carlton

(GIVE FULL NAME AND PRISON NUMBER OF PLAINTIFF)

Plaintiff

CIVIL ACTION NO:

VS.

Corporal Sherry Ziegler Corporal  
Valerie Holder, R.T. Boren Chief  
Wesley Lambertus, Sgt. Craig  
Haggas, Teresa Hudgens,

(NAME OF EACH DEFENDANT)

Defendant(s)

William C. Turner, Amy Brasley

I. GENERAL INFORMATION

1. Your full name and prison number McKissic Carlton
2. Name and location of prison where you are now confined Valdosta State Prison, Valdosta Georgia
3. Sentence you are now serving (how long?) Life without, plus, 20 yrs, 20 yrs (L), & 20 yrs (S)
  - (a) What were you convicted of? 3<sup>rd</sup> Child molestation, 3<sup>rd</sup> Furnishing Alcohol  
Aggravated Child Molestation, 1<sup>st</sup> Aggravated Sodomy
  - (b) Name and location of court which imposed sentence Muscogee County  
Superior Court
  - (c) When was sentence imposed? March 2014
  - (d) Did you appeal your sentence and/or conviction? Yes ☒ No ☐
  - (e) What was the result of your appeal? Denied

(f) Approximate date your sentence will be completed

March 27<sup>th</sup> 2014

## II. PREVIOUS LAWSUITS

NOTE: FAILURE TO DISCLOSE ALL PRIOR CIVIL CASES MAY RESULT IN THE DISMISSAL OF THIS CASE. IF YOU ARE UNSURE OF ANY PRIOR CASES YOU HAVE FILED, THAT FACT MUST BE DISCLOSED AS WELL.

4. Other than an appeal of your conviction or sentence, and other than any habeas action, have you filed a lawsuit dealing with the same or similar facts or issues that are involved in this action?

Yes ☐ No ☒

5. If your answer to question 4 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit INVOLVING SAME FACTS:

Plaintiff(s): \_\_\_\_\_

Defendant(s): N/A

(b) Name of Court: \_\_\_\_\_

(c) Docket Number: N/A When did you file this lawsuit? \_\_\_\_\_

(d) Name of judge assigned to case: N/A

(e) Is this case still pending? Yes ☐ No ☒

(f) If your answer to (e) is "No", when was it disposed of and what were the results?

(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

UNKNOWN at this time

6. Other than an appeal of your conviction or sentence, and other than any habeas action, have you ever filed any lawsuit while incarcerated or detained? Yes ☒ No ☐

7. If your answer to question 6 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit:

Plaintiff(s): McKissic Carlton

Defendant(s): Warden Jacob Beasley

(b) Name of Court: U.S. Middle District of Valdosta Division

(c) Docket Number: N/A When did you file this lawsuit? Aug. 2022

(d) Name of judge assigned to case: \_\_\_\_\_

(e) Is this case still pending? Yes ☐ No ☒

(f) If your answer to (e) is "No", when was it disposed of and what were the results?  
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

\_\_\_\_\_  
\_\_\_\_\_

8. AS TO ANY LAWSUIT FILED IN ANY FEDERAL COURT in which you were permitted to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes ☒ No ☐

If your answer is Yes, state the name of the court and docket number as to each case:

United State Middle District Court  
of Valdosta Division

\_\_\_\_\_  
\_\_\_\_\_

### III. PLACE OF INCIDENT COMPLAINED ABOUT

9. Where did the matters you complain about in this lawsuit take place? IN THE  
Superior Court of Muscogee County "Columbus, Georgia"

(a) Does this institution have a grievance procedure? Yes ☐ No ☒

(b) If your answer to question 9(a) is "Yes", answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?

Yes ☐ No ☒

(2) If Yes, what was the result?

\_\_\_\_\_  
N/A  
\_\_\_\_\_

(3) If No, explain why not: There's no grievance forms at  
this Camp / Valdosta State Prison to file such, no do  
plaintiffs have an attorney or an advisor to  
explain;

(c) What, if anything else, did you do or attempt to do to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

*N/A*

(d) Did you appeal any denial of your grievance to the highest level possible in the prison system? Yes ☐ No ☒

(1) If Yes, to whom did you appeal and what was the result? \_\_\_\_\_

*N/A*

(2) If No, explain why you did not appeal: AN grievance Procedure  
and Form has been denied by the Prison to have  
Adquate appropriate legal system, Forms Etc

10. In what other institutions have been confined? Give dates of entry and exit.

Muscogee County Jail,  
Roger State Prison  
Valdosta STATE Prison

#### IV. PARTIES TO THIS LAWSUIT

11. List your CURRENT place of incarceration/ mailing address.

Valdosta State Prison, P.O. Box 5368, Valdosta, Georgia, 31603

12. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

Please see enclosed Attachments



## V. STATEMENT OF CLAIM

13. In the space hereafter provided, and on separate sheets of paper if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

DO NOT GIVE ANY LEGAL ARGUMENT OR CIT ANY CASES OR STATUTES AT THIS TIME; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULES 8 OF THE FEDERAL RULES OF CIVIL PROCEDURE REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, and DIRECT! If the court needs additional information from you, you will be notified.

WHERE did the incident you are complaining about occur? That is, at what institution or institutions? Columbus Georgia Police Department, Superior Court And County Jail

WHEN do you allege this incident took place? MARCH 22, 2012

WHAT happened? False Arrest / False imprisonment Took Place of False Allegation, that did not have an Procedure Warrant Application Hearing for my arrest violating my Freedom, Liberty, 11m2, Due Process rights, deliberate indifference, Emotional distress Emotional Pain, and suffering, Emotion abandonment, deprivation of life, Emotionally injured of irreparable injuries, serious physical injury, Slander of Character Defamation of Character" The Allege incident happened on the 19 of March 2012 and I was illegally arrested on the 22 day of March, without A warrant and For the Allege charges I've been numerously beaten A the County Jail let the record reflect such physical injuries to my eye and Pain medication, through this incarceration I've been stabbed in the back Almost lost my life yet I am Labled legally cripple For the rest of my life For spinal injuries

14. List the name and address of every person you believe was a WITNESS to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

Public Defender, Robert L. Wadkins ADA <sup>Wesley Lambertus, Judge William C. Rumer</sup>  
 Corporal, Sherry Ziegler, Valerie Holder Detective, Sergeant Craig Haggas  
 Randy Alston (P.D.) Teresa Hudgens (P.D.) Attorney David Walker,  
 ADA, Fred Lewis, Amy Bradley, Officer, Maxwell Todd, Asst. Chief, C.V. Rowe  
 Chief R.T. Bolen

15. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY)

March 19, 2012, allegation was reported again said children of Sexual Assault  
 x3 there to a False Arrest was made without a proper warrant, that  
 was issue on March 22, 2012, detained in the Muscogee County Jail by  
 Columbus Police Department officials (custody) there to the "warrant issued  
 are void, for statute of limitation of 48 hours of arrest shall be  
 Released; Wherefore, I was arrested without a warrant, and am now  
 being held under "False imprisonment" arising out of the arrest"  
 moreover, there is no Affidavit for the arrest, warrant upon the "see enclosed"

16. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

17. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the Federal Rules of Civil Procedure.

Signed this 22 day of January, 2024.

McKessio Carffo  
 PLAINTIFF

"Defendant[s] Individually and  
In Their Official Capacities"

- (1) Columbus Police Department\* Corporal Sherry Ziegler, #18486,  
P.O. Box 1866, 510 Tenth Street, Columbus, GA 31902-1866
- (2) Columbus Police Department, R.T. Boren, (Chief of Police)  
P.O. Box 1866, 510 Tenth Street, Columbus, GA, 31902-1866)
- (3) Columbus Police Department Assistant Chief L.V. Rowe)
- (4) Columbus Police Department, Corporal Valerie Holder, #26762
- (5) Wesley Lambertus Asrit, District Attorney, Bar # 486733  
Office of the District Attorney, P.O. Box 1340, Columbus, GA, 31902
- (6) Columbus Police Department Sergeant Craig Haggard (signed warrant)  
P.O. Box 1866, 510 Tenth Street, Columbus, GA, 31902
- (7) Columbus Police Department, Officer, Maxwell Todd, (P.O. Box 1866  
510 Tenth Street, Columbus, GA, 31902) (Photographs) with-
- (8) Columbus Police Department, Sgt. Randy A. Isten, P.O. Box,  
1866, 510 Tenth Street, Columbus, GA, 31902)
- (9) Teresa Hudgens #27096 "Columbus Police Department, P.O. Box  
1866, 510 Tenth Street, Columbus GA, 31902)
- (10) Hon. Judge William C. Rumer, Superior Court Muscogee County  
10<sup>th</sup> Floor, Muscogee County Government Center, 100 10<sup>th</sup> Street Col GA, 31901
- (11) Fred Lewis, Assistant District Attorney, Muscogee County  
Government Center, 100 10<sup>th</sup> Street, Columbus, GA, 31902
- (12) Public Defender, David Walker, GPDSC, # 731659, Appellate  
Division, 201 Second Street, Suite 550, Macon, GA, 31201) 478-621-5984
- (13) Amy Braley, Forensic interviewer) 18 9<sup>th</sup> St. Suite 102, Columbus,  
GA, 31906)



- (14) Circuit Public Defender Robert L. Watkins, 420 10<sup>th</sup> Street  
Columbus, GA, 31901-2856, # Bar # (731659) 706-653-4301)
- (15) Anthony Brown "Foreman, Grand Jury  
Columbus, Georgia, 31906
- (16) Sgt. David Ellmer, Columbus Police Department, 510 10<sup>th</sup> Street,  
Columbus, Georgia, 31901, <
- (17) Cpl. Robin Rich, Columbus Police Department, 510 10<sup>th</sup> Street,  
Columbus, Georgia, 31901
- (18) Sgt. Randall Alston, Columbus Police Department, 510 10<sup>th</sup> Street  
Columbus, Georgia, 31901
- (19) Robin King "Public Defender office, 420 10<sup>th</sup> Street Columbus,  
Georgia, 31901-2856 < 706-225-3837, < Bar # 975671
- (20) Letitia Sikes (A.D.A.) Assistant District Attorney  
Chattahoochee Judicial Circuit, 100 10<sup>th</sup> Street,  
Columbus, Georgia 31901 < Georgia Bar No. 416951
- (21) Mr. Brad Bickstaff (A.D.A.) Assistant District Attorney  
P.O. Box 1340, Columbus, GA, 31902)
- ✓ (22) Mr. Matthew Jon Landreaux, Assistant District Attorney,  
100 10<sup>th</sup> St, 3<sup>rd</sup> Flr, Columbus, GA, 31901

McKinnis Carl  
V.S.P. P.O. Box 5368  
Vicksburg, GA, 31603



"Defendants" Individually and in their  
Official capacities;"

- (1. Corporal Sherreg Ziegler, #18486, Columbus Police Department  
P.O. Box 7866, 510 Tenth Street Columbus GA, 31902
- (2. R.T. Boren, Chief of Police
- (3. C.V. Rowe, Assistant Chief, (4. Corporal Kalerie Holder,  
#26762.) (5. Sergeant Craig Haggas, (6. Maxwell Todd,  
C.P.D.) (7. Sgt. Randy Alston, C.P.D.) (8. Teresa Hudgens,  
#27096 (C.P.D.) (9. District Attorney, Wesley Lambertus,  
Bar #496733 (10. Assistant District Attorney Brad Brickerstaff,  
(11. Matthew Jon Landrea, (12. Letitia Sikes,  
(13. Hon. Judge, William C. Rummer, (14. David Walker,  
G.P.D.S.C. (MACOM) #731659) (15. Robert L. Watkins, #731659)  
(16. Amy Braley (Forensic interviewer) (17. Anthony Brown,  
Foreman for Grand Jury, (18. Robin King, Bar #975671  
(19. Sgt. David Ellmer (C.P.D.)

### "Jurisdiction" And "Venue"

This is a civil action Authorized by 42 U.S.C. Section  
1983 to "redress" the deprivation, "Under Color of State  
Law, of rights secured by the Constitution of the United  
States. The Court has Jurisdiction under 28 USC,  
Section 1331 and 1343 (A) (3). Plaintiff McKissic,  
Carlton, seeks "declaratory relief" pursuant to 28-

U.S.C. Section 2201, and 2202"

Plaintiff, McKissic Carlton, claims for "injunctive relief"

are Authorized by 28 U.S.C. Section 2283 and 2284

And Rule 65 of the Federal Rules of Civil Procedure.

Plaintiff, seeks, "Preliminary Injunction" under PLRA

(3. Plaintiff's McKissic Carlton claims for "Permanent injunctive relief" (4. "Prospective Relief" (5. Federal Torts Claims Act (FTCA) (6. Emotional Distress claims)

"Material merits of Facts"

"Compensational Damages" (to wit) claims

- (1. Mental Distress, (2. mental Disturbance claim,
- (3. general Damages claim, (4. Expectation Damages claims (5. Hedonic Damages claims, (6. liquidated Damages claim, (7. Moratory damages claims
- (8. Direct Damages claims, (9. Treble Damages claims, (10. special Damages claims, (11. Presumed Damages claim (12. Emotional Damages claims)
- (13. Irreparable Damage of Emotional Abandonment

"Issue of Law claims relief for Damages"

- (1. Slander Damage claim, (2. Defamation of
- (3) Character Damage claims, (4) False imprisonment claim of Damages,

- (5) False Arrest claim (6) "Intentional Infliction of Emotional Distress" (7) "False Imprisonment claims"  
(8) "UNLAWFUL detention of the Person of another"  
(9) "Invalid Warrant" (10) UNLAWFUL Imprisonment"  
(11) "UNLAWFUL seizure of Person" (12) Breach of Contract  
(13) Breach of Duty, (14) material Breach, (15)  
Breach of Warranty,"

"United States Constitution Rights  
Violations, To "Procedural Due Process, Due Process  
of Law and "Substantive Due Process"; To wit:

- (1) 14<sup>th</sup> Amendment Right to Due Process right to Fair  
Procedures AND Criminal Process.  
(2) 8<sup>th</sup> Amendment "Cruel AND Unusual Punishment  
Psychological Harm, (3) "UNNECESSARY AND WANTON  
INFLECTION OF Emotional Pain AND Suffering, (4)  
"Deliberate Indifference" Gross Negligence"

"Declaration of Human Rights  
Claim For relief"

(1) Article #1, #2, #3, Deprivation of Life and Liberty  
Article #4, #5, #7, #8 # Article #9, #10, #12  
Article #18, #23

"Preponderance of Evidence"

To Genuine issues of Facts of Law

"Arrest of Persons"

Article 3. Warrants For -

(3;

Arrest."

- (1. Pro'se/Plaintiff McKissic Carlton, claims that upon The face of the records are a "Nullity" and "Void" "Contract" Warrant Application hearing" that Identifies such Criminal Procedure and Criminal Process occurred' O.C.G.A 17-4-40 (4)
- (2. Plaintiff contends that NO Warrant Application hearing has produced The Lack of Jurisdiction to consider "Probable Cause," A "Nullity and Void" violation of Controlling Law; O.C.G.A 17-4-40 (5)
- (3. NO Form OF Affidavit issue to comport with Affirmative action "Duty OF person arresting without Warrant investigation report.
- (4. Plaintiff, McKissic Carlton, contends that the Alleged Incident occurred Approximately March 19, 2012, And He was in custody of Columbus Police Department March 22, 2012 or March month. At 9: Am a little Afterward That Exceeded the Statute of Limitations see 17-4-40. "No such imprisonment shall be legal beyond A reasonable time Allowed For this purpose; To wit) And Any person who is not brought before such Judicial Officer within (72 Hours) OF Arrest shall be released
- (5. NO Commitment hearing on the face of the record are therefore A "Nullity and Void" Criminal Proceedings



no application for search warrant conducted in open court to confirm to the evidence seized 8 days later, nor was there affidavit or affidavits supporting a warrant for the items or item (etc)

see Article 2, Searches with Warrants (Criminal

Procedure, see also under "United States Constitution Contract Clause, Article 1, Section 10 "That -

"Prohibits Any Contract 'Invalid or impair the

Obligations under them to both 'Contract Carriers"

Administrative Duties of Government Employment

And employees functions officials designated

Individual performance must be executed upon

delivery

Plaintiff contends an 'Class Action claim"

Suite 'Breach of Contract' for Failure to present

on record in open court 'A Search Warrant

Application "And Search Warrant Affidavit"

of items seized obtained a Hearing for the

Party:

Plaintiff contends upon the face of the record

of transcripts are absent of a 'Search Warrant

Application And Search Warrant Affidavit"

Appointed a Special Master to Accompany

The person who was to serve the warrant

and a 'Mailing a void " Arrest

See also, Hall v. Jackson, 310 g. 714 (2021) vacate

O.C.G.A. 17-4-41)

See "Case of First impression", test case, and "Case in Chief," For material Evidence"

Supporting case" Cordrea Deante perrier v.

The City of Elbertons, case 3:03-cv-00106 (CDL)

O.C.G.A. 51-7-20, (Scott Housing systems, Inc, v. Hickot, 174 ga, App. 23, 26, 329 S.E2d, 154

157, O.C.G.A. 17-4-20, Amerson v. Kroger Co,

204 ga App 695, 696, 697, 420 S.E2d, 314, 315, 316)

Invalid warrant violation, see GA Const Art, I, XI

(A6), (Scott Housing System, Inc, Etc

28-4 (d), O.C.G.A. 51-9-1)

CONCLUSION OF AFFIRMATIVE LAW

"Binding" Constitutional Govern Authority

(Reed v. DeKalb County, 264 ga, App. 83, 89, 589 S.E.2d 584

587 (2003), O.C.G.A. (51-7-1), "Desmond, 243 ga,

App. At 74, 532 S.E.2d At 467 (2000)

Also, Washington v. Dept. of Human Resources, 241 ga

App. 319, 321, 526 S.E.2d 354, 356 (1999), (O.C.G.A.,

51-7-1) Kirby v. 232 ga, App. At 480, 502

S.E.2d At 320, 321) And Asto (Smith v. Hotham

County, 264 ga, App. 560, 569, 591 S.E.2d 388, 391

(2003)

"United States Constitutional Violation"

1<sup>st</sup> 5<sup>th</sup>, 14<sup>th</sup> Due Process of Law")

Equal Protection, (Color of State Law"

(v.

"Negligent or Negligence") under the FTCA, and Intentional torts, False Arrest, Abuse of process and infliction of Emotional distress")

"Request For Production OF Documents"

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiff requests that defendants produce for inspection and copying the following documents:

- (1) All written statements (2 original or copies, identifiable as reports about the incident,
- (3) warrants, warrant application hearing, minutes and recorded testimonies
- (4) Affidavits of warrants, (S. dates, Policies Arresting officer who collects or receives any costs or other charges of a prosecutor or defendant in a case made on a state's warrant), person or persons applied for the warrant, and any related documents by any reasonable means which identifies the Judge, including, but not limited to, his or her type written name, signature affixed by electronic stylus, or any other reasonable—

(8)

means which identifies the Judicial Officer, signing  
the Affidavit and Warrant and any related documents.  
Such authorization shall be deemed to comply  
with the signature requirements provided for in  
code sections 17-4-45, and 17-4-46.)  
AND THE ISSUANCE OF SEARCH WARRANT (17-5-22)  
17-5-21-17-5-20-17-5-1-17-5-21-17-5-25  
17-5-22-17-4-20-17-5-25

01-2-24

Respectfully submitted

M/Keane Carlin  
V.S.P. P.O. Box 5368  
Vadosta, GA 31603

Return & stamp filed  
copy, and forward an  
Electronical copy to all  
involved parties -  
Thank you!



"Preponderance of the Evidence," To The  
"Conclusion of Law," of Merits"

"The Warrant Requirements" 4th Amendment  
Violations

"The Point of the Fourth Amendment... Not that it denies Law enforcement the support of the usual inferences which reasonable men draw from Evidence.

(1. Searches incident to valid Arrests, (2. Seizures of items in plain view, Therefore, When a Magistrate issues a warrant based on a deliberately or, recklessly False Affidavit, (3. When a magistrate "Fails" to act in a neutral and detached manner, (4. When a warrant is based on an Affidavit) "So lacking in Indicia of Probable Cause as to render official belief in its existence entirely unreasonable."

(5. When a warrant is so facially deficient that no Reasonable officer could believe it to be valid... and

(6. When police recklessly maintain or knowingly enter false information into a warrant database to future arrests. Therefore, its an illegal arrest, illegal search and seizure, Warrantless search, no consent to seizure and Search Warrantless seizures of property items, particular items,